

Entered - 4-9-99 - sb  
CL - 01L0227 ALEXIS HOLMES

CLAIM OF: **LEROY LEWIS**  
2283 Newgate Drive  
Decatur, Georgia 30035

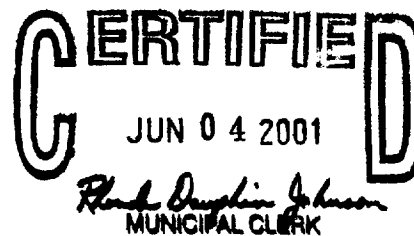
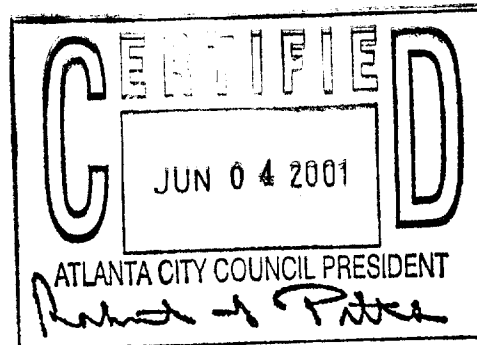
**01-R-0798**

For damages alleged to have been sustained as a result of a vehicular  
accident on December 21, 1999 at Forsyth and Garnett Streets.

THIS ADVERSE REPORT IS APPROVED

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

ADVERSE BY  
CITY COUNCIL JUN 04 2001



ADVERSE REPORT  
COM. Public Safety  
DATE 5/29/01  
CHM. C. T. Allen  
Michael B. Allen  
C. T. Allen  
Cleat Henson

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0227

Date: 5/16/01

Claimant /Victim LEROY LEWIS

BY: (Atty)(Ins.) \_\_\_\_\_

Address: 2283 Newgate Drive Decatur, Georgis 30035

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 2,330.92 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 4/9/01 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) \_\_\_\_\_

Date of Occurrence 12/21/99 Place: Forsyth and Garnett Streets

Department Public Works Division: Motor Transport Services

Employee involved Linda Monroe Disciplinary Action: Letter of reprimand

**NATURE OF CLAIM:** The claimant sustained vehicular damage when the driver of a City of Atlanta vehicle struck his vehicle while attempting to make a left hand turn from an outside lane. However, the claimant failed to meet the O.C.G.A. §36-33-5 Written Notice requirement when he filed his claim more than six (6) months after the event took place upon which he is alleging claims against the City.

### INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant X Other X Written \_\_\_\_\_ Oral X

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver X Claimant Driver \_\_\_\_\_

Citation disposition: City Driver Suspended License Claimant Driver \_\_\_\_\_

### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months X Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

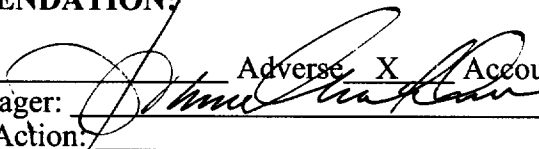
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - ALEXIS HOLMES

### RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 05-17-01

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

Holmes  
04/09/01  
D

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 12-29-1999

Dear Municipal Clerk:

ENTERED - 4-9-01 - SB  
01L0227 - ALEXIS HOLMES

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 2,330.92 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 12-21-1999 2. Time of Incident: 18:07 3. Police called: ✓  
(month/day/ year) Yes No

4. Location of incident (including street address): FORSYTH ST. + GARNETT ST

5. Name of your insurance company: GEICO Policy No. 2328977

6. State what and how incident occurred: I NO. #1 VEHICLE HAD TURNED ON GARNETT ST. VEHICLE #2 WAS STOPPED AND AS I TURNED VEHICLE #2 WENT FORWARD STRIKING ME.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: FORD 1990 904 LAZ LERoy LEWIS  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: FORD MONROE, LINDA BUREAU OF TRANSPORT SERVI  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: \_\_\_\_\_  
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Leroy Lewis  
Signature of Claimant

LERoy LEWIS  
(Print Claimant's Name)

2283 NEWGATE DR.  
(Address)

DECATUR, GA. 30035  
(City, State and Zip Code)

404-562-0015 678-524-8012  
(Work Number) (Home Number)

01-R-0798



**CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK**

**55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103**

June 19, 2001

Leroy Lewis  
2283 Newgate Drive  
Decatur, Georgia 30035

**01-R-0798**

Dear Mr. Lewis:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on June 4, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Sincerely,

*Rhonda Dauphin Johnson*

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

RCS# 2912  
6/04/01  
2:56 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 12

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 3

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

*Unanimous*

Y McCarty	B Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	B Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	B Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
01-O-0653  
01-O-0663  
01-O-0664  
01-O-0835  
01-R-0181  
01-R-0851

CONSENT

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**06/04/01 Council Meeting**

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**ITEMS ADOPTED ON  
CONSENT AGENDA**

1. 01-O-0821
2. 01-O-0834
3. 01-O-0833
4. 01-O-0492
5. 01-O-0671
6. 01-O-0717
7. 01-O-0825
8. 01-O-0826
9. 01-O-0837
10. 01-R-0832
11. 01-R-0308
12. 01-R-0836
13. 01-R-0784
14. 01-R-0785
15. 01-R-0822
16. 01-R-0352
17. 01-R-0792
18. 01-R-0846
19. 01-R-0794
20. 01-R-0795

**ITEMS ADVERSE  
ON CONSENT AGENDA**

21. 01-R-0796
  22. 01-R-0797
  23. 01-R-0798
  24. 01-R-0799
  25. 01-R-0800
  26. 01-R-0801
  27. 01-R-0802
  28. 01-R-0803
  29. 01-R-0804
  30. 01-R-0805
  31. 01-R-0806
  32. 01-R-0807
  33. 01-R-0808
  34. 01-R-0891
  35. 01-R-0810
  36. 01-R-0811
  37. 01-R-0812
  38. 01-R-0813
  39. 01-R-0814
  40. 01-R-0815
  41. 01-R-0816
  42. 01-R-0817
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